

1 LUIS A. AYON, ESQ.  
Nevada Bar No. 9752  
2 **AYON LAW, PLLC**  
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3 Building 3, Suite 240  
Las Vegas, Nevada 89148  
4 Telephone: (702) 600-3200  
5 Facsimile: (702) 447-7936  
E-Mail: laa@ayonlaw.com  
6

7 *Attorneys for Defendants/Counterclaimants*  
4655 Gracemont Ave Trust  
8

9 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

10 THE BANK OF NEW YORK MELLON FKA THE  
11 BANK OF NEW YORK, AS TRUSTEE FOR THE  
12 CERTIFICATEHOLDERS OF CWALT, INC.,  
13 ALTERNATIVE LOAN TRUST 2006-OC11  
MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 2006-OC11,

14 Plaintiff,

15 vs.

16 4655 GRACEMONT AVENUE TRUST, an unknown  
17 entity; BLUE DIAMOND RANCH LANDSCAPE  
18 MAINTENANCE ASSOCIATION, a Nevada  
non-profit corporation;

19 Defendants,

20 KENNETH BERBERICH, as Trustee of 4655  
21 GRACEMONT AVENUE TRUST,

22 Counterclaimants,

23 vs.  
24

25 THE BANK OF NEW YORK MELLON FKA THE  
26 BANK OF NEW YORK, AS TRUSTEE FOR THE  
27 CERTIFICATEHOLDERS OF CWALT, INC.,  
ALTERNATIVE LOAN TRUST 2006-OC11  
MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 2006-OC11  
28

Case No.: 2:17-cv-00063-JAD-PAL

**MOTION TO SUBSTITUTE**  
**ATTORNEYS FOR DEFENDANT /**  
**COUNTERCLAIMANT 4655**  
**GRACEMONT AVE TRUST**

1 Pursuant to FRCP Rule 74(d) and LR IA 11-6(c), Defendant/Counterclaimant 4655  
2 Gracemont Ave Trust ("Gracemont") hereby moves this court to substitute counsel. Luis A. Ayon,  
3 Esq. lead counsel for Defendant Gracemont, formerly of Maier Gutierrez Ayon, PLLC ("MGA  
4 Law"), has left MGA Law and has formed AYON LAW, PLLC ("AYON LAW").

5  
6 Defendant Gracemont has chosen to remain with Luis A. Ayon, Esq., and engage AYON  
7 LAW for this matter. Defendant Gracemont has signed a substitution counsel. See Exhibit A.  
8 MGA Law has provided Ayon Law the case file and Luis A. Ayon is aware of all the deadlines in  
9 this matter.

10 Discovery in this matter does not close until October 9, 2017 [see Docket No. 13], and  
11 therefore, discovery and trial deadlines will not be effected by this substitution of counsel.  
12 Accordingly, Defendant Gracemont requests that this Court grant its motion to substitute counsel  
13 of record in this matter.  
14

15 DATED this 11th day of May, 2017.

16 **AYON LAW, PLLC**

17 /s/ Luis A. Ayon  
18 LUIS A. AYON, ESQ.  
19 Nevada Bar No. 9752  
20 9205 W. Russell Road  
21 Building 3, Suite 240  
22 Las Vegas, Nevada 89148  
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**ORDER**

IT IS HEREBY ORDERED that LUIS A. AYON, ESQ. of the law firm of AYON LAW, PLLC, shall be substituted in place of the law firm MAIER GUTIERREZ AND ASSOCIATES.

Dated this 18th day of May, 2017.

  
UNITED STATES MAGISTRATE JUDGE

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**CERTIFICATE OF SERVICE**

I hereby certify that service of the foregoing **MOTION TO SUBSTITUTE ATTORNEYS FOR DEFENDANT / COUNTERCLAIMANT 4655 GRACEMONT AVE TRUST** was made on this 11<sup>th</sup> day of May, 2016, via the Court's CM/ECF system to all parties and counsel as identified on the Court-generated Notice of Electronic Filing.

/s/ Luis A. Ayon  
An Employee of Ayon Law, PLLC

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# EXHIBIT A

1 LUIS A. AYON, Esq.  
Nevada Bar No. 9752  
2 **AYON LAW, PLLC**  
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3 Building 3, Suite 240  
Las Vegas, Nevada 89148  
4 Telephone: (702) 600-3200  
5 Facsimile: (702) 447-7936  
6 E-Mail: laa@ayonlaw.com

7 *Attorneys for Defendants/Counterclaimants*  
8 *4655 Gracemont Ave Trust*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 THE BANK OF NEW YORK MELLON FKA THE  
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14 ALTERNATIVE LOAN TRUST 2006-OC11  
15 MORTGAGE PASS-THROUGH CERTIFICATES,  
16 SERIES 2006-OC11,

17 Plaintiff,

18 vs.

19 4655 GRACEMONT AVENUE TRUST, an unknown  
20 entity; BLUE DIAMOND RANCH LANDSCAPE  
21 MAINTENANCE ASSOCIATION, a Nevada  
22 non-profit corporation;

23 Defendants,

24 KENNETH BERBERICH, as Trustee of 4655  
25 GRACEMONT AVENUE TRUST,

26 Counterclaimants,

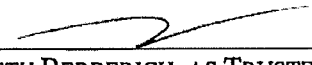
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MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 2006-OC11

Case No.: 2:17-cv-00063-JAD-PAL

**SUBSTITUTION OF ATTORNEYS**

1            LUIS A. AYON, ESQ., of AYON LAW, PLLC, is hereby substituted in as the attorneys for  
2 Defendant, KENNETH BERBERICH, AS TRUSTEE OF 4655 GRACEMONT AVENUE TRUST, in the  
3 above-entitled action, in the place and stead of MAIER GUTIERREZ & ASSOCIATES.  
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6              
KENNETH BERBERICH, AS TRUSTEE OF 4655  
GRACEMONT AVENUE TRUST

7            We hereby accept the above and foregoing substitution as attorneys for Defendant,  
8 KENNETH BERBERICH, AS TRUSTEE OF 4655 GRACEMONT AVENUE TRUST.  
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10           DATED this 8 day of May, 2017.

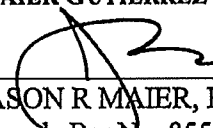
11             
AYON LAW, PLLC

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13           LUIS A. AYON, ESQ.  
14 Nevada Bar No. 9752  
15 9205 W. Russell Road  
Building 3, Suite 240  
Las Vegas, Nevada 89148

16           We hereby consent to the above substitution.

17           DATED this 8 day of May, 2017.

18           MAIER GUTIERREZ & ASSOCIATES

19             
20 JASON R MAIER, ESQ.  
21 Nevada Bar No. 8557  
22 8816 Spanish Ridge Ave  
23 Las Vegas, Nevada 89148  
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